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KED & ASSOCIATES, LLP
P.O. Box 221200
Chantilly, VA 20153-1200

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MOON, SEOKYUN	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/695,753	KIM, YANG HOON	
	Examiner	Art Unit	
	SEOKYUN MOON	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 February 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,5-16,18-22 and 27-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,5-16,18-22 and 27-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *30 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. The Applicant's arguments with respect to the newly amended claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. **Claims 35** and **37** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

As to **claim 35**, the claim discloses that a first location in the second memory area is **exclusively designated** to store the user-adjusted brightness control information for the first power mode and a second location in the second memory area is **exclusively** designated to store the user-adjusted brightness control information for the second power mode.

However, the specification of the instant Application has failed to disclose such subject matter. Specifically, the specification of the instant Application merely discloses the user-adjusted brightness control information for the first power mode and the second power mode being stored in the second memory area, but does not disclose a specific area within the second memory area is **exclusively designated as a area** for storing the user-adjusted brightness control information for **a specific power mode**.

Appropriate correction/explanation is required.

As to **claim 37**, the claim discloses the brightness control information being automatically erased from the second memory area after power to the portable computer system is turned off.

However, the specification of the instant Application has failed to disclose such subject matter.

Appropriate correction/explanation is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. **Claims 1**, **2**, **5-16**, **18-22**, and **27-37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (herein after, "*AAPA*") in view of Powell (US 6,618,042).

As to **claim 1**, AAPA [Appl. fig. 4] teaches a method for adjusting a brightness level of a display used in a portable computer system [Appl. pg 6 par. (21)], the method comprising:

separately storing, in a first memory area ("*Micom-Rom 200*") [Appl. fig. 4], brightness control information for a plurality of brightness levels for each of at least two power mode types ("*AC adaptor power mode" and "Battery power mode*");

reading out brightness control information in a first power mode for an adjusted one of the levels and in a second power mode for an adjusted one of the levels from the first memory area [pg 8 par. (31) lines 1-5], wherein the brightness control information in the first power mode ("*AC adapter power mode*") and the brightness control information in the second power mode ("*Battery power mode*") correspond to different brightness levels adjusted by a user for the first power mode and the second power mode [Appl. pg 8 par. (31)];

storing, in a second memory area ("*Micom-RAM 201*"), the brightness control information read out from the first memory area for the first and second power modes [pg 8 par. (31) lines 5-9];

confirming a type of power mode currently being used out of the first and the second power mode types [pg 9 par. (34)]; and

controlling the brightness level of the display based on the brightness control information independently stored in the second memory area for the confirmed power mode [pg 9 par. (34)], wherein the first power mode is a battery power mode and the second power mode is an AC power mode.

However, Powell inherently teaches a concept of respectively storing brightness control information for a first power mode and a second power mode in different locations of a memory area since Powell teaches storing brightness control information for the first power mode [col. 4 lines 58-63 and col. 5 lines 1-3: When the user reconnects the AC adapter, the user selected brightness level is restored. Thus, the user selected brightness level must be stored at a certain location in a memory area] and the second power mode [col. 4 lines 63-67 and col. 5 lines 41-44: When the AC adapter is removed, the brightness level is reduced to the pre-selected target brightness level, wherein the pre-selected target brightness level is adjusted by the user. Thus, the pre-selected target brightness level must be stored at a certain location in a memory area] and it is required to store the brightness control information for the first power mode and the second power mode at different locations of a memory area in order to allow the device of Powell to retrieve any one of the brightness control information according to the current power mode (i.e. if the brightness control information for the first power mode and the second power mode are stored at same location of a memory area, only one of the brightness control information can exist at the location at a time, and thus it would not be possible for the device of Powell to retrieve any one of the brightness control information according to the current power mode).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the concept of Powell, i.e. storing the brightness control information for the first power

mode and the second power mode at different locations of a memory area, to the method of AAPA, in order to allow the display of AAPA to output user-preferred brightness level regardless of the current power mode (note that, by applying the concept of Powell to the device of AAPA, the device of AAPA would have two separate memories within Micom-RAM and CMOS-RAM).

As to **claim 2**, AAPA as modified by Powell teaches the method comprising adjusting the brightness level of a LCD using an input device [Appl. pg 8 par (31) lines 1-5].

As to **claim 5**, AAPA as modified by Powell teaches that when a power mode is confirmed to be the battery mode, the brightness level of the display is adjusted by using index information corresponding to the user-adjusted brightness level [Appl. pg 8 par. (33)] that corresponds to the brightness control information stored in one of the different locations in the second memory area for the battery power mode [Powell: col. 4 line 54 – col. 5 line 3 and col. 5 lines 41-44], wherein the index information is read out from the second memory area includes at least one of a microcomputer random access memory or a system initialization RAM [Appl. fig. 4].

As to **claim 6**, AAPA as modified by Powell teaches that when a power mode is confirmed to be the AC power mode, the brightness level of the display is adjusted by using index information corresponding to the user-adjusted brightness level [Appl. pg 8 par. (31)] that corresponds to the brightness control information stored in one of the different locations in the second memory area for the AC power mode [Powell: col. 4 line 54 – col. 5 line 3 and col. 5 lines 41-44], and wherein the index information is read out from the second memory area includes at least one of a microcomputer random access memory or a system initialization RAM [Appl. fig. 4].

As to **claim 7**, AAPA as modified by Powell teaches index information corresponding to the brightness levels in the AC power mode and index information corresponding to the brightness levels in the battery power mode are independent and respectively stored in the first memory area [Appl. fig. 4].

As to **claim 8**, AAPA as modified by Powell [Appl. fig. 4] teaches that index information corresponding to the brightness levels in the AC power mode and index information corresponding to the brightness levels in the battery power mode are separately stored in a microcomputer memory of the personal computer system and in a system initialization RAM, the microcomputer memory including the first memory area and the system initialization RAM including the second memory area [Appl. pg 7 par. (28) and pg 8 par. (32) and Powell: col. 4 line 54 – col. 5 line 3 and col. 5 lines 41-44: AAPA teaches a concept of storing index information corresponding to the brightness levels in the AC power mode and the battery power mode at a same location in a system initialization RAM. Powell teaches a concept of storing brightness control information for the AC power mode and the battery power mode at different locations in a memory area. Thus, AAPA as modified by Powell teaches a concept of storing index information corresponding to the brightness levels in the AC power mode and the battery power mode at different locations in a system initialization RAM].

As to **claim 9**, AAPA as modified by Powell teaches that when the type of power mode confirmed is the AC power mode, the brightness level of the display is adjusted by using an index information corresponding to a brightness level of the brightness control information for the AC power mode stored in the second memory area [Appl. pg. 8 par. (31)].

As to **claim 10**, AAPA [Appl. fig. 4] teaches a method comprising:

independently storing, in a first storage area ("*Micom-ROM 200*"), brightness level information for a plurality of power supplies ("*AC adaptor*" and "*Battery*") in a computer system;

storing, in a second storage area ("*Micom-RAM 201*"), brightness level information read out from the first storage area for a first power supply and brightness level information read out from the first storage area for a second power supply [pg 8 par. (32)], wherein the brightness level information for the first power supply and the brightness level information for the second power supply correspond to

different brightness levels adjusted by a user for the first power supply and the second power supply [Appl. fig. 4];

determining a type of power supply currently being used among the plurality of power supplies in the computer system when a brightness level of a display is adjusted [pg 8 par. (31) lines 1-5];

selecting brightness level information from the independently stored information in a first storage area, the selected brightness level information corresponding to the determined power supply type for the adjusted brightness level of the display, the determined power supply type corresponding to one of the first or second power supplies [pg 8 pars. (31) and (32)];

reading index information corresponding to the selected brightness level information [pg 8 par. (32)];

driving the adjusted brightness level of the display based on the readout index information [Appl. pg 8 par. (32)]; and

updating the second storage area to independently store the index information according to the determined type of power supply [pg 8 par. (32)].

AAPA does not teach the method comprising respectively storing the brightness control information read out from the first storage area for the first power supply and the brightness control information read out from the first storage area for the second power supply, in different locations of the second storage area.

However, Powell inherently teaches a concept of respectively storing brightness control information for a first power mode and a second power mode in different locations of a memory area since Powell teaches storing brightness control information for the first power mode [col. 4 lines 58-63 and col. 5 lines 1-3: When the user reconnects the AC adapter, the user selected brightness level is restored. Thus, the user selected brightness level must be stored at a certain location in a memory area] and the second power mode [col. 4 lines 63-67 and col. 5 lines 41-44: When the AC adapter is removed, the brightness level is

reduced to the pre-selected target brightness level, wherein the pre-selected target brightness level is adjusted by the user. Thus, the pre-selected target brightness level must be stored at a certain location in a memory area] and it is required to store the brightness control information for the first power mode and the second power mode at different locations of a memory area in order to allow the device of Powell to retrieve any one of the brightness control information according to the current power mode (i.e. if the brightness control information for the first power mode and the second power mode are stored at same location of a memory area, only one of the brightness control information can exist at the location at a time, and thus it would not be possible for the device of Powell to retrieve any one of the brightness control information according to the current power mode).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the concept of Powell, i.e. storing the brightness control information for the first power mode and the second power mode at different locations of a memory area, to the method of AAPA, in order to allow the display of AAPA to output user-preferred brightness level regardless of the current power mode.

As to **claim 11**, AAPA as modified by Powell teaches that at least one of an index information corresponding to an adjusted brightness level in an AC adaptor power mode and an index information corresponding to an adjusted brightness level in a battery power mode is separately stored in the second storage memory [as discussed with respect to the rejection of claim 10, AAPA teaches a concept of storing index information corresponding to the brightness levels in the AC power mode and the battery power mode at a same location in a system initialization RAM. Powell teaches a concept of storing brightness control information for the AC power mode and the battery power mode at different locations in a memory area. Thus, AAPA as modified by Powell teaches a concept of storing index information corresponding to the brightness levels in the AC power mode and the battery power mode at different locations in a system initialization RAM].

As to **claim 12**, AAPA as modified by Powell teaches the method comprising changing from a first power supply being an AC adaptor to a second power supply being a battery, wherein the driving the adjusted brightness level of the display comprises referring to an index information in a battery power mode, and wherein the index information is separately stored in second storage area [Appl. pg 9 par. (35) and Powell: col. 4 line 54 – col. 5 line 3 and col. 5 lines 41-44].

As to **claim 13**, AAPA as modified by Powell teaches the method comprising changing from the battery to the AC adaptor, wherein the driving the adjusted brightness level of the display comprises referring to an index information in an AC adaptor power mode, and wherein the index information is separately stored in the second storage area [Appl. pg 9 par. (34) and Powell: col. 4 line 54 – col. 5 line 3 and col. 5 lines 41-44]

As to **claim 14**, AAPA as modified by Powell teaches the method comprising turning on power of the computer system after the power was turned off, wherein the driving the adjusted brightness level of the display comprises confirming the type of power supply currently being used, and reading out of the second storage area user-adjusted index information in an AC adaptor power mode or in a battery power mode [Appl. pg 8 par. (32)], wherein the user-adjusted index information stored in the second memory is independently stored in the different locations according to the AC adaptor power mode or the battery mode (as discussed with respect to the rejection of claim 10).

As to **claim 15**, AAPA as modified by Powell teaches the brightness level of the display being adjusted automatically, periodically or using an input device by a user [Appl. pg 8 par. (31) lines 1-5]

As to **claim 16**, all of the claim limitations have already been discussed with respect to the rejection of claims 1 and 10.

As to **claim 18**, AAPA as modified by Powell teaches the method comprising adjusting the brightness level of a LCD using an input device, wherein the type of power mode currently being used

includes at least one of an AC adaptor mode and a supplementary battery mode [Appl. pg 8 par. (31) lines 1-5].

As to **claim 19**, AAPA as modified by Powell teaches that the index information stored in the second storage area in the AC adaptor mode corresponds to a brightness level different than a brightness level corresponding to the index information stored in the second storage area in the supplementary battery mode [par. (0008) and par. (0062) lines 13-28 and Powell: col. 4 line 54 – col. 5 line 3 and col. 5 lines 41-44].

As to **claim 20**, AAPA [pg 7 par. (27)] teaches an apparatus that controls an inverter pulse width modulation frequency of a liquid crystal display in a portable computer, comprising:

a first storage area ("*ROM 200*") [fig. 4] configured to separately provide LCD brightness level information for a plurality of brightness levels for each of at least two power mode types [pg 7 par. (28)];

a second storage area ("*RAM 201*") configured to store the brightness level information in a first power mode for a user-adjusted one of the levels and in a second power mode for a user-adjusted one of the levels read out from the first storage area;

an inverter ("*inverter 33*") [fig. 3] configured to supply a voltage to the LCD [pg 7 par. (27) lines 3-4]; and

a control circuit ("*micom 20*") for controlling a PWM frequency of the inverter to achieve a designated brightness level based on the user-adjusted LCD brightness level information independently stored in the second storage area for a current power supply mode [pg. 7 par. (27) lines 5-8], wherein the storing includes independently storing, in the same location of the second memory area, the user-adjusted brightness control information read out from the first memory area for the first and second power modes, wherein the user-adjusted brightness control information for the first and second power modes area stored in the same location of the second memory area [Appl. fig. 4 and par. (32) and (33)]

AAPA does not teach the second storage area configured to respectively store the brightness level information in a first power mode and the brightness control information in a second power mode, in different locations of the second memory area.

However, Powell inherently teaches a concept of respectively storing brightness control information for a first power mode and a second power mode in different locations of a memory area since Powell teaches storing brightness control information for the first power mode [col. 4 lines 58-63 and col. 5 lines 1-3: When the user reconnects the AC adapter, the user selected brightness level is restored. Thus, the user selected brightness level must be stored at a certain location in a memory area] and the second power mode [col. 4 lines 63-67 and col. 5 lines 41-44: When the AC adapter is removed, the brightness level is reduced to the pre-selected target brightness level, wherein the pre-selected target brightness level is adjusted by the user. Thus, the pre-selected target brightness level must be stored at a certain location in a memory area] and it is required to store the brightness control information for the first power mode and the second power mode at different locations of a memory area in order to allow the device of Powell to retrieve any one of the brightness control information according to the current power mode (i.e. if the brightness control information for the first power mode and the second power mode are stored at same location of a memory area, only one of the brightness control information can exist at the location at a time, and thus it would not be possible for the device of Powell to retrieve any one of the brightness control information according to the current power mode).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to apply the concept of Powell, i.e. storing the brightness control information for the first power mode and the second power mode at different locations of a memory area, to the method of AAPA, in order to allow the display of AAPA to output user-preferred brightness level regardless of the current power mode.

As to **claim 21**, AAPA as modified by Powell [Appl. fig. 4] teaches the LCD brightness level information including index information [Appl. pg 7 par. (28)].

As to **claim 22**, AAPA as modified by Powell [Appl. fig. 4] teaches the first (Appl. "*ROM 200*") and second storage devices (Appl. "*RAM 201*") being different memories.

As to **claim 27**, AAPA as modified by Powell [AAPA: fig. 4] teaches the brightness control information stored in the first memory area (Appl. "*Micom-ROM 200*") for the first power mode (Appl. "*AC adaptor power mode*") lies within a first percentage range (Appl. 20% - 160%) and the brightness control information stored in a first memory area for the second power mode (Appl. "*battery power mode*") lies in a second range (Appl. 0% - 140%) having a different brightness percentage range.

As to **claim 28**, AAPA as modified by Powell teaches storing the brightness control information for the first and second power modes in an auxiliary memory (AAPA: "*CMOS-RAM 180*") [AAPA: fig. 4 and pg 8 par. (32)] and transferring the brightness control information stored in the auxiliary memory to the respective different locations in the second memory area (the modified "*Micom-RAM 201*" as discussed with respect to the rejection of claim 1) when the computer system is turned on after it has been turned off [AAPA: pg 8 par. (32)].

As to **claim 29**, AAPA as modified by Powell teaches the brightness control information for the first and second power modes being stored simultaneously into locations of a microcomputer random access memory ("*Micom-RAM(201)*") [AAPA: fig. 4] and a system initialization RAM ("*CMOS-RAM(180*") (note that in the rejection of claim 1, the RAMs of AAPA are modified to store brightness control information for a plurality of power modes instead of a single power mode).

As to **claims 30-32**, all of the claim limitations have already been discussed with respect to the rejection of claim 29.

As to **claim 33**, AAPA as modified above teaches the method comprising:

detecting a change in a power mode currently being used [Powell: pg 4 lines 61-63]; and

reading out brightness control information corresponding to the changed power mode from the second memory [AAPA: pg 9 paragraph (34)], wherein the brightness control information corresponding to the changed power mode is independently stored in different locations of the second memory (note that in the rejection of claim 1, the RAMs of AAPA are modified to include brightness control information for a plurality of power modes instead of a single power mode), which includes at least one of a microcomputer random access memory or a system initialization RAM.

As to **claim 34**, AAPA as modified by Powell teaches that wherein after a turn-off operation is performed for the portable computer system [Appl. pg 8 par. (32)], the method includes:

confirming a type of power mode to be used out of the first and second power modes [Powell: col. 4 lines 61-64], confirmation of the type of power mode being performed after the portable computer system is turned back on following the turn-off operation; and

controlling the brightness level of the display based on the brightness control information independently [Powell: col. 4 line 61 – col. 5 line 3] stored in the different locations of a system initialization of the second memory area for the confirmed power mode [Appl. pg 7 par. (28) and pg 8 par. (32) and Powell: col. 4 line 54 – col. 5 line 3 and col. 5 lines 41-44: AAPA teaches a concept of storing index information corresponding to the brightness levels in the AC power mode and the battery power mode at a same location in a system initialization RAM. Powell teaches a concept of storing brightness control information for the AC power mode and the battery power mode at different locations in a memory area. Thus, AAPA as modified by Powell teaches a concept of storing index information corresponding to the brightness levels in the AC power mode and the battery power mode at different locations in a system initialization RAM].

As to **claim 35**, AAPA as modified by Powell teaches that the second memory area (the modified "*Micom-RAM 201*" as discussed with respect to the rejection of claim 1, wherein the modified "*Micom-RAM 201*" stores brightness control information for a plurality of power modes) is designated to store the

user-adjusted brightness control information for the first power mode and the second power mode, wherein the brightness level of the display is controlled based on the brightness control information stored in one of a first location or a second location in the second memory area that is designated to store information for the type of power mode confirmed to be used out of the first and second power modes [Appl. pg 7 par. (28) and pg 8 par. (32) and Powell: col. 4 line 54 – col. 5 line 3 and col. 5 lines 41-44: AAPA teaches a concept of storing index information corresponding to the brightness levels in the AC power mode and the battery power mode at a same location in a system initialization RAM. Powell teaches a concept of storing brightness control information for the AC power mode and the battery power mode at different locations in a memory area. Thus, AAPA as modified by Powell teaches a concept of storing index information corresponding to the brightness levels in the AC power mode and the battery power mode at different locations in a system initialization RAM].

AAPA as modified by Powell does not expressly teach the first location in the second memory area being **exclusively** designated to store the user-adjusted brightness control information for the first power mode and the second location in the second memory area being **exclusively** designated to store the user-adjusted brightness control information for the second power mode.

However, since the Applicant has failed to provide that designating a location in the second memory exclusively as a specific memory location for one of the power modes provides an advantage, is used for a particular purpose, or solves a stated problem, it would be an obvious matter of design choice to designate a location of the second memory exclusively as a specific memory location to store the user-adjusted brightness control information for one of the power modes.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to designate a location of the second memory area exclusively as a specific memory location to store the user-adjusted brightness control information for a specific power mode since the method would perform equally well at retrieving stored brightness control information from the second memory area

regardless of whether a specific location of the second memory area is exclusively designated for a specific power mode or not (i.e. as long as the second memory is capable of storing brightness control information for the first and second power modes at the same time, the method would perform equally well at loading the brightness control information for the first and second power modes from the second memory).

As to **claim 36**, AAPA as modified by Powell teaches that wherein respectively storing the brightness control information includes:

designating a first memory location in the second memory area for storing a first index value indicative of a user-adjusted brightness level of a screen of the portable computer system in the first power mode [Powell - col. 4 lines 58-63 and col. 5 lines 1-3: When the user reconnects the AC adapter, the user selected brightness level is restored. Thus, the user selected brightness level must be stored at a certain location in a memory area];

designating a second memory location in the second memory area for storing a second index value indicative of a user-adjusted brightness level of the screen of the portable computer system in the second power mode [Powell - col. 4 lines 63-67 and col. 5 lines 41-44: When the AC adapter is removed, the brightness level is reduced to the pre-selected target brightness level, wherein the pre-selected target brightness level is adjusted by the user. Thus, the pre-selected target brightness level must be stored at a certain location in a memory area],

wherein the first and second index values are simultaneously stored in the first and second memory locations of the second memory area (since AAPA as modified by Powell teaches retrieving one of index values for the first and second power modes from the second memory area according to the current power mode, the index values for the first and second power modes must exist at the second memory area at the same time.).

As to **claim 37**, AAPA as modified by Powell teaches the method further comprising:

respectively storing, in different locations of a third memory area (Appl. "*CMOS-RAM 180*") [Appl. fig. 4], the brightness control information read out from the second memory area (Appl. "*Micom-RAM 201*") for the first (Appl. "*AC adapter power mode*") and second power modes (Appl. "*Battery power mode*"), and wherein the brightness control information is retained in the different locations of the third memory area after power of the portable computer system is turned off and then turned back on (as discussed with respect to the rejection of claim 1, the modified CMOS-RAM 180 stores brightness control information for a plurality of power modes), and

wherein the brightness level of the display is controlled based on the brightness control information independently stored in the different locations of the third memory area after power to the portable computer system is turned on after being turned off [Powell: col. 4 line 54 – col. 5 line 3 and col. 5 lines 41-44].

AAPA as modified by Powell does not expressly teach the brightness control information being automatically erased from the second memory area after power to the portable computer system is turned off.

However, since the Applicant has failed to provide that specifying the brightness control information to be automatically erased from the second memory area after power to the portable computer system is turned off provides an advantage, is used for a particular purpose, or solves a stated problem, it would be an obvious matter of design choice to specify the brightness control information to be automatically erased from the second memory area.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to specify the brightness control information to be automatically erased from the second memory or maintained in the second memory since the method would perform equally well at retrieving brightness control information from the third memory and at changing the brightness of the device

according to the brightness control information regardless of whether the brightness control information is automatically erased from the second memory or not.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SEOKYUN MOON whose telephone number is (571)272-5552. The examiner can normally be reached on Mon - Fri (8:30 a.m. - 5:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 26, 2008
/S. M./
Examiner, Art Unit 2629

/Sumati Lefkowitz/
Supervisory Patent Examiner, Art Unit 2629